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THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.48

AMARAVATI, SATURDAY, NOVEMBER 30, 2019

G.414

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**COMMANDANT, HQRS,
A. P. SPECIAL PROTECTION FORCE, TIRUPATI.**

Rc.No.06/A3/Comdt.Hqrs/APSPF/TPT/2019.

Date: 09.10.2019.

SHOW CAUSE NOTICE

O.E. AGAINST Sri K. VASU BABU, CT-3223 OF APSPF, TIRUPATI - FORWARDING OF MINUTES COPY - FINAL EXPLANATION CALLED FOR.

- Ref : 1) T.O. Proceedings Rc.No.06/A3/Comdt.Hqrs/APSPF/TPT/2019, O.O.No.1095/2019, Dated: 07.09.2019.
2) AOC: T.O. Rc.No.06/A3/Comdt.Hqrs/APSPF/TPT/2019, Dated: 26.07.2019.
3) C.No.176/INSP/APSPF/Airport Kadapa/OE CT-3223/2019, Dated: 04.10.2019 of the Inspector, APSPF, Airport Kapada.

In the reference 1st cited, an Oral Enquiry was ordered against you in connection with the Articles of Charge framed vide reference 2nd cited. Now the Enquiry Officer Sri K. Ashok Kumar Reddy, Inspector, APSPF, Airport Kadapa has submitted Oral Enquiry report duly '**Proved**' the Articles of Charge vide reference 3rd cited. A copy of the enquiry report is sent herewith, with instructions to submit your final explanation if any, in order to dispose off the Oral Enquiry.

Your explanation should reach this office within (10) days from the date of receipt of this Memo, failing which, the O.E. will be disposed off basing on the merits.

Sd/-.,
Commandant, Hqrs,
A.P. Special Protection Force, Tirupati.

To
Sri K. Vasu Babu. CT-3223 of APSPF. Tirupati.
thro' the Asst. Commandant, APSPF. TTD Tirumala.

**DEPARTMENTAL ENQUIRY REPORT AGAINST SRI K. VASU BABU, CT-3223
OF APSPF TIRUPATI UNIT.,**

C.No. 176/Insp/APSPF/Airport-Kadapa/OE-CT-3223/2019, Dated: 04.10.2019.

1. Under Rule 20 of the A P Civil Services (Classification, Control and Appeal) Rules 1991, I have been appointed by Commandant, Hqrs APSPF. Tirupathi vide proceedings Rc. No. 06/A3/Comdt. Hqrs/APSPF/TPT/2019, O.O. No.1095/2019, Dated: 07.09.2019 as Enquiry authority to inquire into the charge framed against Sri K. Vasu Babu, CT-3223 of APSPF Unit, Tirupati Unit. I have completed the Enquiry and report as under:-
2. No presenting officer has been appointed.
3. The alleged Government Servant Sri K. Vasu Babu, CT-3223 of APSPF, Tirupati Unit was not attended for O.E.
4. The following Article of charge framed against Sri K. Vasu Babu, CT-3223 of APSPF, Tirupati Unit.

ANNEXURE- I

Statement of Articles of the charge framed against Sri K. Vasu Babu, CT- 3223 of APSPF, Tirupati Unit.

ARTICLE - I

That, the said Sri K. Vasu Babu, CT-3223 of APSPF, Tirupati Unit did not respond to the phone calls when the Constable (Office Clerk) i.e. CT-3137 Sri K. Satyanarayana contacted him to his mobile No.7013863187 on 07.06.2019 at 12.08 hours & 12.18 hours to call him to SPF office as per the instructions of AC, SPF, TTD Tirumala. Further, once again CT-3137 Sri K. Satyanarayana contacted him over phone at 12.23 hours on 07.06.2019 (through mobile No.7207171343 of CT-4068 Sri G. Ramesh Babu) and also at 10.38 hours on 08.06.2019 (through mobile No.8309930743 of Ct-3423 Sri K. Arun Kumar) and informed him to come to SPF office and appear before the Asst, commandant, APSPF, TTD Tirumala. But, he did not come to SPF office. Thereby, he disobeyed the instructions of superiors. Subsequently, he became un-authorized absent w.e.f. 08.06.2019 FN.

ARTICLE - II

That the said Sri K. Vasu Babu, CT-3223, who failed to appear before the Asst. Commandant, APSPF, TTD Tirumala even though he was informed by CT- 3137 Sri K. Satyanarayana over phone on 07.06.2019 & 08.06.2019 and supposed to attend for evening Roll call during his off-duty on 08.06.2019 at 17.00 hours has also failed to attend the Roll Call.

By the above acts, he has exhibited gross misconduct and negligence towards his legitimate duties, which is un-becoming of a Government servant thereby violating Rule-3 of APCS (conduct) Rules-1964.

ANNEXURE-II**List of Documents :**

1. Report of the Asst. Commandant, APSPF, Tirupati vide C.No.11/AC/SPF/TPT/AWL/CT-3223/2019/D.NO.989, Dated: 10.06.2019.
2. Report of the Inspector (Admn), APSPF, TTD Tirumala. Dated: 09.06.2019.
3. Statement of Sri M. Srinivasa Rao, ASI-882 of APSPF, Tirupati, Dated: Nil.
4. Statement of Sri K. Satyanarayana, CT-3137 of APSPF, TTD Tirumala, Dated: Nil.
5. Report of the Asst. Commandant, APSPF, TTD Tirumala vide C.No.11/AC/SPF/TML/AWL/CT-3223/2019/D.No.1196, Dated: 23.07.2019.
6. The A.P. Gazette Notification W.No.34, Dated: 22.08.2019.

ANNEXURE-III**List of Witnesses: -**

- 1) The Asst.Commandant, APSPF, TTD Tirumala/Tirupati.
- 2) The Inspector (Admn), APSPF, TTD Tirumala.
- 3) Sri M. Srinivasa Rao, ASI-882 of APSPF, A.P. Secretariat, Velgapudi.
- 4) Sri K. Satyanarayana, CT-3137 of APSPF, Rajamundry Guards.

Statement of Imputations of gross misconduct in support of Articles of Charge framed against Sri K. Vasu Babu, CT-3223 of APSPF Tirupati Unit.

Sri K. Vasu Babu, CT-3223 of APSPF, Tirupati Unit is native of Prakasam District. His date of birth is 01.07.1987. He was appointed as constable in APSPF on 06.02.2008 and in such capacity he has been discharging his duties in APSPF unit, Tirupati.

That the said Sri K. Vasu Babu, CT-3223 did not respond to the phone calls when the Constable (Office Clerk) i.e. CT-3137 Sri K.Satyanarayana contacted him to his mobile no.7013863187 on 07.06.2019 at 12.08 hours & 12.18 hours to call him to SPF office as per the instructions of AC, SPF, TTD Tirumala. Further, once again CT-3137 Sri K. Satyanarayana contacted him over phone at 12.23 hours on 07.06.2019 (through mobile No.7207171343 of CT-4068 Sri G. Ramesh Babu) and also at 10.38 hours on 08.06.2019 (through mobile No.8309930743 of CT-3423 Sri K. Arun Kumar) and informed him to come to SPF office and appear before the Asst. Commandant, APSPF, TTD Tirumala. But, he did not come to SPF office. Thereby, he disobeyed the instructions of superiors. Subsequently, he became un-authorized absent w.e.f. 08.06.2019 FN.

That the said Sri K. Vasu Babu, CT-3223, who failed to appear before the Asst. Commandant, APSPF, TTD Tirumala even though he was informed by CT- 3137 Sri K. Satyanarayana over phone on 07.06.2019 & 08.06.2019 and supposed to attend evening Roll call during his off-duty on 08.06.2019 at 17.00 hours, has also failed to attend the Roll Call.

By the above acts, he has exhibited gross misconduct and negligence towards his legitimate duties, which is un-becoming of a Government servant thereby violating Rule-3 of APCS (conduct) Rules-1964.

5. Statement of Sri M. Sankara Rao, aged 46 years S/o M. Suryanarayana, Commandant, APSPF, Tirupati Zone, I/c Asst. Commandant, APSPF, TTD Tirumala recorded on 27.09.2019 in the office of the Asst. Commandant, APSPF, Tirupati (PW-I).

Sri M. Sankara Rao, working as Commandant Hqrs, APSPF, Tirupati w.e.f. 07.02.2019 and also looking after the duties of Asst. Commandant, APSPF, TTD Tirumala. He well acquainted with the case and depose his statement as follows:-

“On 09.06.2019 while I was present in my office, the Inspector (Admin), APSPF, TTD Tirumala has submitted a report against Sri K. Vasu Babu, CT-3223 of APSPF, Tirupati Unit wherein he stated that on 07.06.2019 as per my instructions the CT-3137 Sri K. Satyanarayana (PW-4) has contacted to CT-3223 Sri K. Vasu Babu through his mobile No.7013863187 in twice i.e. 12.08 hours and 12.18 hours, but he did not respond to his phone call. On the same day at about 12.23 hours CT-3137 called him through mobile No.7207171343 of G. Rameah Babu and informed him to appear before the Asst. Commandant, APSPF, TTD Tirumala. But he failed do so. Further on the next day i.e. on 08.06.2019 at about 10.38 hours CT-3137 Sri K. Satyanarayana has contacted to CT-3223 Sri K. Vasu Babu through mobile No.8309930743 of CT-3423 Sri K. Arun Kumar and informed him to attend before Asst. Commandant, APSPF, TTD Tirumala at 11.00 AM, but he did not attend. Further CT-3223 of Sri K. Vasu Babu, who was on off duty and supposed to attend evening Roll Call on 08.06.2019 at 17.00 hours, he did not attend the roll call and subsequently he became Absent Un- authorizedly w.e.f. 08.06.2019 FN without any intimation to his superiors. Further basing on the report of Inspector (Admin), APSPF, TTD Tirumala and report of duty officer Sri M. Srinivasa Rao, ASI-882 I submitted a report to the Commandant, APSPF, Tirupati on 10.06.2019 for taking necessary disciplinary action against CT-3223 Sri K. Vasu Babu as he became A.W.L. from 08.06.2019 FN” without any intimation to his superiors.”

Cross Examination:- NIL

6. Statement of Sri Sreenivasulu Reddy, aged 59 years S/o Rami Reddy (Late), Inspector (Admin), APSPF, TTD, Tirumala recorded on 27.09.2019 in the office of the Asst. Commandant, APSPF, Tirupati (PW-2).

Sri P. Sreenivasulu Reddy working as Inspector (Admin). APSPF, TTD, Tirumala. unit w.e.f. 09.08.2019. As per the records available in the SPF office, TTD Tirumala and depose his statement as follows:-

“On 07.06.2019 as per the instructions of Asst. Commandant, APSPF, TTD CT-3137 Sri K. Satyanarayana (PW-4) contacted the CT-3223 Sri K. Vasu Babu through mobile phone vide No.7013863187 in twice i.e. 12.08 hours and 12.18 hours, but he did not respond to his call. On the same day at about 12.23 hours CT-3137 called him through mobile No.7207171343 of G. Ramesh Babu and informed him to appear before of Asst. Commandant, APSPF, TTD Tirumala, but he failed do so and did not attend. Further on the next day i.e. on 08.06.2019 at about 10.38 hours CT-3137 Sri K. Satyanarayana has contacted to CT-3223 Sri K. Vasu Babu through mobile No.8309930743 of CT-3423 Sri K. Arun Kumar and informed him to attend before the Asst. Commandant, APSPF, TTD Tirumala at 11.00 AM. But he did not attend. Further CT-3223 of Sri K. Vasu Babu who was on off-duty and supposed to attend evening Roll Call on 08.06.2019 at 17.00 hours he did not attend the roll

call and subsequently he became Absent w.e.f.08.06.2019 FN without any intimation to his superiors. Further basing on the report of duty officer Sri M. Srinivasa Rao, ASI-882 I submitted a report to the Asst. Commandant, APSPF, Tirupati on 09.06.2019 with a request to take disciplinary action against CT-3223 Sri K. Vasu Babu as he became A.W.L. from 08.06.2019 FN”.

Cross Examination:- NIL

7. Statement of Sri M. Srinivasa Rao. aged 53 years S/o M. Venkateawarlu, Asst. Sub-Inspector, APSPF, A.P. Secretariat, Velagapudi unit recorded on 27.09.2019 In the office of the Asst. Commandant, APSPF, Tirupati (PW-3).

Sri M. Srinivasa Rao, working as Asst. Sub-Inspector-882, APSPF, A.P. Secretariat, Velagapudi unit w.e.f. 01.09.2019, previously he worked at SPF Tirumala from 17.06.2013 to 31.08.2019 and depose his statement as follows:-

“While I was working at SPF unit Tirumala, I was detailed as duty officer on 08.06.2019 from 08.00 hours to 20.00 hours and when I conducted evening roll call (17.00 hours) found CT-3223 Sri K. Vasu Babu was absent. In this regard I submitted roll call absent report of CT-3223 Sri K. Vasu Babu to the Asst. Commandant, APSPF, Tirupati through Inspector (Admin), APSPF”.

Cross Examination: -NIL

8. Statement of Sri K. Satyanarayana, aged 45 years S/o Late K. Appala Naidu. CT-3137, APSPF, Rajamundry Guards recorded on 27.09.2019 in the office of the Asst. Commandant, APSPF, Tirupati (PW-4).

Sri K. Satyanarayana, working as CT-3137, APSPF, Rajamundry Guards w.e.f. 24.09.2019 and previously he worked at Tirumala unit from 15.06.2017 to 23.09.2019 and depose his statement as follows:-

“While I was doing duty in TTD Tirumala Unit on 07.06.2019, as per the instructions of Asst. Commandant, APSPF. TTD I contacted CT-3223 Sri K.Vasu Babu (Mobile No.9032235112) through my mobile No.7013S63187 in thrice i.e. at 12.08 hours, 12.17 and 12.18 hours. But his phone was not working and further I contacted to his another No.9985852551 at 12.19 hours but he did not responded. Further I called him at about 12.23 hours through mobile No.7207171343 of G. Ramesh Babu and informed him to appear before the Asst. Commandant, APSPF, TTD Tirumala. But he did not attend to officc on 07.06.2019. Further, on the next day i.e. on 08.06.2019 at about 10.31 hours, 10.32 and 11.37 hours again I called him through my phone, but he did not lift. Then again I called him through mobile No.8309930743 of CT-3423, K. Arun Kumar and informed him to come to A.C. sir office immediately. But the CT-3223 Sri K. Vasu Babu did not attend. In this connection I submitted a written statement to the Asst. Commandant, APSPF, TTD Tirumala”.

Cross Examination:- NIL

9. List of prosecution documents:-Perused the documents according to the Articles of charge framed against Sri K. Vasu Babu, CT-3223, APSPF. Tirupati Unit.

10. Analysis and Assessment of Evidence:-

As per the statement of PWs 1 to 4 and contained subject in the PR file, it is clearly established that the following analysis and assessment of evidence as follows:*

1. I was appointed as enquiry officer by the Commandant, Hqrs, APSPF, Tirupathi vide Rc.No.06/A3/Comdt Hqrs/APSPF/TPT/2019, O.O.No. 1095/2019, dated: 07.09.2019 and O.E was fixed at the O/o The Assistant Commandant, APSPF, Tirupati on 27.09.2019 vide this office letter C.No.167/Insp/APSPF/Airport-Kadapa/OE-CT-3223/2019, Dated: 17.09.2019. The intimation copy was sent to his available address K. Vasu Babu, CT-3223 of APSPF. H.No.19/201, Epurupalam (P&V), Chirala, Prakasam District-523 166, Cell: 9032235112 through registered-post and received acknowledgement copy signed by K. Venkataratnam (Who is mother of charged officer). The same copy also sent to all the PWs 1 to 4 with a request to attend O.E. on 27.09.2019 at 10.00 hours in the Office of Asst. Commandant. APSPF, Tirupati. As per my instruction Sri C. Ramesh. S.I. (Admn), APSPF, Kadapa Airport contacted CT-3223 Sri K. Vasu Babu (Mobile No.9032235112) through his mobile No.9100028968 in 4 times vide dates. 18.9.19 at 12.03 hours. 18.9.19 at 12.07 hours, 23.9.19 at 10.52 hours and 25.9.19 at 12.43 hours. But his phone was not working.
2. On perusal of the PR file it is noticed that the Commandant, APSPF, Tirupathi issued charge memo to CT-3223 Sri K. Vasu Babu of APSPF, Tirupathi vide Rc.No.06/A3/Comdt.Hqrs/APSPF/TPT/2019, Dated: 26.07.2019, the copy of the same was sent to his native address by registered post, but there is no clarity whether the said CT-3223 received the copy or not, as the signature on the postal acknowledgement card varies with his original signature. In this connection the Commandant, APSPF head quarters, Tirupati sent a request letter to the Commissioner, Printing Stationery fit Stores Purchase, Mutyalampadu, Vijayawada vide Rc.No.06/A3/Comdt. Hqrs/APSPF/TPT/2019, Dated: 14.08.2019 with a request to publish Memorandum of Charge in A.P. Gazette Publication. Accordingly the copy of memorandum of charge was published in A.P. Gazette vide W.No.34, Amaravathi, Thursday, August 22, 2019, G.238.
3. The OE was conducted on 27.09.2019 in the O/o the Assistant Commandant, APSPF, Tirupati and recorded the statements of PWs 1 to 4. But the charged officer has not attended to O.E. on 27.09.2019.
4. Further, being a Constable working in the disciplined force, he has to put his phone in working condition. But he wantedly kept his mobile phone switched off and he intentionally not attended to O.E. Subsequently, I have conducted the **EX-PARTE** oral enquiry and recorded the statements of all the PWs 1 to 4.
5. **Regarding Article-I**, it is fact that, when the Asst. Commandant, APSPF, TTD Tirumala/Tirupati instructed the office clerk i.e. CT-3137 Sri K.Satyanarayana to summon the CT-3223, Sri K.Vasu Babu to the SPF Office, Tirupati, he contacted to his mobile No. 7013863187 on 07.06.2019 at 12.08 Hrs., and 12.18 Hrs.

But he did not respond to his phone calls. When the CT-3223 not responded to his phone calls, he again contacted with the CT-3223 Sri K.Vasu Babu at 12.23 Hrs., on 07.06.2019 through the mobile No. 7207171343 of CT-4068 Sri G.Ramesh Babu and also contacted him through the mobile No.8309930743 of CT-3423 Sri K. Arun Kumar on 08.06.2019 at 10.38 Hrs., and informed him to come to SPF Office and appear before the AC, APSPF, TTD Tirumala. But he paid deaf ear and did not come to office. Subsequently, he became absent un- authorizedly, w.e.f. 08.06.2019 (FN) without any intimation to his superiors.

6. **Regarding Article-II**, it is fact that the CT-3223 Sri K.Vasu Babu, who was on off-duty and supposed to attend for evening Roll Call on 08.06.2019 at 17:00 Hrs., has also failed to attend the Roll Call.

11. FINDING:-

On the basis of the documentary and oral evidence adduced in the case before me and in view of the reasons given above, I hold that both the Articles i.e. Article-I & Article-II leveled against the Charged Officer Sri. K.Vasu Babu, CT-3223 are "**PROVED**" beyond any reasonable doubt.

Certified that the procedure prescribed under the provision of Rule 20 of APCS (CC&A) Rules - 1991 has been followed strictly in conducting of Oral Enquiry.

K. ASHOK KUMAR REDDY,
ENQUIRY OFFICER,
INSPECTOR, APSPF,
AIRPORT, KADAPA.

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